

OCT. 20. 2003 3:41PM

16509618301

NO. 074 P. 1

# BEYER WEAVER & THOMAS, LLP

INTELLECTUAL PROPERTY LAW

590 W. El Camino Real, Mountain View, CA 94040  
Telephone: (650) 961-8300 Facsimile: (650) 961-8301  
[www.beyerlaw.com](http://www.beyerlaw.com)

RECEIVED  
CENTRAL FAX CENTER

OCT 21 2003

## FACSIMILE COVER SHEET

October 20, 2003

OFFICIAL

**Receiver:** Examiner Luz L. Alejandro  
Art Unit 1763  
United States Patent and Trademark Office

**TEL #:** 703-305-4545

**FAX #:** 703-872-9306

**Sender:** Quin C. Hoellwarth, Reg. No. 45,738

**Re:** Response to Restriction Requirement  
Application No. 10/040,326  
Filing Date: January 3, 2002  
Attorney Docket No. LAMIP132C1

Pages Including Cover Sheet(s): 3

### MESSAGE:

#### CONFIDENTIALITY NOTE

The information contained in this facsimile (FAX) message is legally privileged and confidential information intended only for the use of the receiver or firm named above. If the reader of this message is not the intended receiver, you are hereby notified that any dissemination, distribution or copy of this FAX is strictly prohibited. If you have received this FAX in error, please immediately notify the sender at the telephone number provided above and return the original message to the sender at the address above via the United States Postal Service. Thank you.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Hao et al.

Attorney Docket No.:  
LAM1P132C1/P0567C

Application No.: 10/040,326

Examiner: Alejandro Mulero, Luz L.

Filed: January 3, 2002

Group: 1763

Title: LOWER ELECTRODE DESIGN FOR  
HIGHER UNIFORMITY

OFFICIAL

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office on October 20, 2003.

Signed: \_\_\_\_\_

Agnes Spence

**RESPONSE TO RESTRICTION REQUIREMENT**

RECEIVED  
CENTRAL FAX CENTER

OCT 21 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated September 23, 2003, Applicant hereby elects, with traverse, Species A and D, to prosecute in the above-identified patent application. Claims 22, 25-37, and 41-57 are generic.

Although it is acknowledged that species A and B are patentably distinct, it is respectfully submitted that a search and examination of these species would not seriously burden the Examiner. These species are generally related such that a search for one species would be similar to a search for the other species. The same can be said for species C-E. Furthermore, the Examiner has already conducted several searches since this invention is a continuing application. As such, a substantial number of prior art has already been found. Accordingly, it is respectfully requested that the restriction be withdrawn.

OCT. 20. 2003 3:42PM

16509618301

-----NO. 074- --P. 3. -----

If any fees are due in connection with the filing this Response to Restriction Requirement, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. LAM1P132C1).

Respectfully submitted,  
BEYER-WEAVER & THOMAS, LLP



Quin C. Hoellwarth  
Registration No. 45,738

**RECEIVED**  
CENTRAL FAX CENTER

OCT 21 2003

P.O. Box 778  
Berkeley, CA 94704-0778  
(650) 961-8300

OFFICIAL